

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2
3 In the Matter of

4 **JEFFREY DARDINGER, M.D.**

5 Holder of License No. 42530
6 For the Practice of Medicine
 In the State of Arizona.

Case No. MD-13-0236A

**ORDER FOR SURRENDER OF
LICENSE AND CONSENT TO THE
SAME**

7 Jeffrey Dardinger, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Surrender of License; admits the
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order
10 by the Board.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control
13 of the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 42530 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-13-0236A after receiving a
17 Disciplinary Alert Report indicating that Respondent's Kentucky medical license was
18 emergently suspended on February 6, 2013 due to his guilty plea to one count of illegal
19 use of a minor in nudity oriented material or performance

20 4. According to a December 2012 news story, in January of 2011 the Ohio
21 Amberly Village Police took a report claiming that Respondent repeatedly and secretly
22 videotaped a child in his home using a hidden camera. Court records indicated that
23 Respondent had additional images of a nude minor. On December 19, 2012, Radiology
24 Associates, Respondent's employer, released a statement indicating that they had
25 suspended him from employment immediately, pending a decision by the courts.

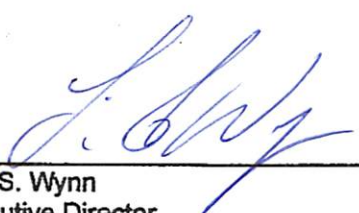
1 5. On January 4, 2013, Respondent pled guilty to one count of illegal use of
2 a minor in nudity oriented material or performance, a felony in the fifth degree. On
3 February 5, 2013, the Kentucky Board was contacted by an Ohio news organization and
4 was informed of Respondent's criminal plea. On February 5, 2013, the Kentucky Board
5 obtained the case information from the Hamilton County, Ohio Court of Common Pleas.
6 The information charged Respondent with recklessly possessing or viewing material or a
7 performance that showed a minor who was not the person's child or ward in a state of
8 nudity and such material or performance constituted a lewd exhibition and/or showed a
9 graphic focus on the genitals, in violation of Section 2907.323(A)(3) of the Ohio Revised
10 Code and against the peace and dignity of the State of Ohio. Also on February 5, 2013,
11 Respondent appeared in Hamilton County Court for formal sentencing.

12 6. On February 16, 2013, the Kentucky Board emergently suspended
13 Respondent's license due to his guilty plea. On March 16, 2013, Respondent was
14 incarcerated, and the Kentucky Board postponed their hearing until Respondent's
15 incarceration is completed. Of note, the Ohio Board, where the incident occurred, has
16 taken no action nor provided notice to any other Boards.

17 7. Board staff received the Disciplinary Alert Report on March 1, 2013. On May
18 2, 2013, Board staff received Respondent's response in which he admitted to the charges
19 and provided a copy of a psychosexual evaluation he underwent at AWARE in Ohio. His
20 evaluators determined that Respondent does not have a diagnosis of voyeurism or sexual
21 paraphilia. It was recommended that Respondent attend individual and group
22 psychotherapy to help him address co-dependency issues and interpersonal dynamics,
23 that he address his problematic use of alcohol which resulted in a DUI, and that he avoid
24 contact with his stepdaughter.

25

By:


Lisa S. Wynn
Executive Director

CONSENT TO ENTRY OF ORDER

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent acknowledges he has the right to consult with legal counsel regarding this matter.

2. Respondent acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.

3. By consenting to this Order, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Order in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Order.

4. The Order is not effective until approved by the Board and signed by its Executive Director.

5. All admissions made by Respondent are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context of another state or federal government regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or federal court.

6. Upon signing this agreement, and returning this document (or a copy thereof) to the Board's Executive Director, Respondent may not revoke the consent to the entry of the Order. Respondent may not make any modifications to the document. Any

1 modifications to this original document are ineffective and void unless mutually approved
2 by the parties.

3 7. This Order is a public record that will be publicly disseminated as a formal
4 disciplinary action of the Board and will be reported to the National Practitioner's Data
5 Bank and on the Board's web site as a disciplinary action.

6 8. If any part of the Order is later declared void or otherwise unenforceable, the
7 remainder of the Order in its entirety shall remain in force and effect.

8 9. If the Board does not adopt this Order, Respondent will not assert as a
9 defense that the Board's consideration of the Order constitutes bias, prejudice,
10 prejudgment or other similar defense.

11 Jeffrey Dardinger by stem Dardinger POA Dated: Aug. 22, 2013
12 Jeffrey Dardinger, M.D.

13
14 EXECUTED COPY of the foregoing mailed by
15 US Mail this 3rd day of Oct, 2013 to:

16 Jeffrey Dardinger, M.D.
17 Address of Record

18 EXECUTED COPY of the foregoing mailed by
19 US Mail this 3rd day of Oct, 2013 to:

20 Simi Z. Botic
21 Dinsmore & Shohl LLP
22 191 West Nationwide Boulevard
23 Suite 300
24 Columbus, OH 43215

25 ORIGINAL of the foregoing filed this
3rd day of Oct, 2013 with:

The Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

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Mary Baker
Arizona Medical Board Staff